

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

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FLORENCE, SC

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James V. Decaro,

Plaintiff,

vs.

Commissioner of Social Security,

Defendant.

Civil Action No.: 3:05-199

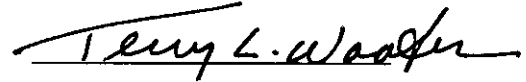
**ORDER**

On January 21, 2005, the Plaintiff filed the instant action to obtain judicial review of the Defendant's final decision to terminate the Plaintiff's Disability Insurance Benefits. This matter now comes before this Court for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Joseph R. McCrorey, to whom this case had previously been assigned. (Doc. #11). In the Report, Magistrate Judge McCrorey stated the "Commissioner's decision is not supported by substantial evidence. This action should be remanded to the Commissioner to evaluate whether Plaintiff has had medical improvements in light of the opinion of his treating physician and other medical evidence." No party to this action filed objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #11) and the case is remanded to the Commissioner for further administrative action.

**IT IS SO ORDERED.**

A handwritten signature in black ink, reading "Terry L. Wooten", with a horizontal line drawn underneath the name.

Terry L. Wooten  
United States District Judge

March 21 2006  
Florence, South Carolina